

**IN THE UNITED STATES DISTRICT COURT  
OF THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**BLUE SPIKE, LLC,**  
*Plaintiff,*

**V.**

**AUDIBLE MAGIC CORPORATION**  
*Defendant.*

**Case No. 6:15-cv-584**

**AUDIBLE MAGIC CORPORATION**  
*Counterclaim Plaintiff,*

**V.**

**BLUE SPIKE, LLC, BLUE SPIKE, INC. §**  
**and SCOTT A. MOSKOWITZ §**  
*Counterclaim Defendants. §*

## ORDER

The above-entitled and numbered cause of action was referred to the undersigned United States Magistrate Judge for pre-trial purposes in accordance with 28 U.S.C. § 636. The following pending motion is before the Court:

**Emergency Motion to Stay Proceedings or in the Alternative to Extend the Time to File Pretrial Materials (Docket Entry # 65).**

The Court, having carefully reviewed the relevant briefing, **DENIES** Plaintiff's motion to stay these proceedings pending the appeal of a judgment of invalidity in the Northern District of California. However, the Court **CONTINUES** the October 19, 2015 pretrial conference and the November 9, 2015 jury selection and trial until further notice of the Court.

**IT IS SO ORDERED.**

**SIGNED** this 14th day of October, 2015.

  
CAROLINE M. CRAVEN  
UNITED STATES MAGISTRATE JUDGE